

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**FACTORY MUTUAL INSURANCE
COMPANY, d/b/a Mutual Boiler Re,**

Plaintiff,

v.

NEBRASKA BEEF, INC., et al.,

Defendants.

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8:09CV159

ORDER

Upon notice of settlement given to the court on December 7, 2011, by counsel for the defendants,

IT IS ORDERED that:

1. **On or before December 22, 2011**, the parties shall electronically file a joint stipulation for dismissal (or other dispositive stipulation) and shall submit to Honorable Joseph F. Bataillon, at bataillon@ned.uscourts.gov, a draft order which will fully dispose of the case. If the case is being dismissed, the stipulation shall comply with Fed. R. Civ. P. 41(a) and shall state whether the dismissal is with or without prejudice.

2. Absent compliance with this order, this case (including all counterclaims and the like) may be dismissed without further notice.

3. The trial previously scheduled is cancelled and all pending motions are terminated upon the representation that this case is settled.

DATED this 7th day of December, 2011.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge